

To the Members of the California State Senate:

I am returning Senate Bill 1140 without my signature.

California's laws already impose strict liability on gun owners who allow a child to access their firearm. Ensuring firearms are stored properly is an important public health goal and that is why I support the current criminal storage laws. The additional firearm storage restrictions proposed by SB 1140 are vague and unnecessary to our criminal justice system.

Strict liability is the most stringent legal liability theory available and only five other states beside California currently impose such a harsh penalty. This bill would further expand the liability to situations that cannot be easily defined and thereby provides no guidance to a person as to how to avoid criminal penalties. Such ambiguity in the law invites arbitrary enforcement and judicial review.

Unfortunately, this bill does more to confuse an already complicated area of the law than to protect children. Before a government exercises its power to take away one's liberty, it should be clear to every person what actions will cause them to forfeit their freedom. Instead of adding to the lengthy and complex area of firearm laws, a reorganization of the current laws should be undertaken to ensure that statutes that impose criminal penalties are easily understandable.

Sincerely,

Arnold Schwarzenegger